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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

**DECLARATION OF KYLE SMITH
REGARDING SERVICE OF ORDER RE
WITHDRAWAL OF COUNSEL**

This Document Relates to:

M.H. v. Uber Technologies, Inc.,
Case No. 3:23-cv-06200-CRB

Judge: Hon. Charles R. Beyer

Courtroom: 6 – 17th Floor

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DECLARATION OF KYLE SMITH

I, Kyle Smith, declare pursuant to 28 U.S.C. § 1746:

1. I am over the age of 18 and am a resident of Arlington, Virginia. I respectfully submit this declaration explaining how Uber served a copy of the Court’s September 16, 2024 Order re: Withdrawal of Counsel, ECF 1649, on Plaintiff M.H.

2. I am a partner at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, representing Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (“Uber”) in this MDL as well as in Judicial Council Coordination Proceeding No. 5188, *In Re: Uber Rideshare* Cases, Case No. CJC-21-005188. I am a member in good standing of the Bar of the District of Columbia Court of Appeals and the Bar of the State of New York, Appellate Division, Third Department. I make this declaration based upon matters within my own personal knowledge. If called as a witness, I could and would competently testify to the matters set forth herein.

3. As part of the PTO 5 process, former counsel for Plaintiff M.H., Lieff Cabraser Heimann & Bernstein, LLP (“Lieff Cabraser”) provided Uber with eight email addresses for Plaintiff M.H.

4. On September 19, 2024, counsel for Uber emailed Lieff Cabraser, identifying these eight email addresses.

5. Later on September 19, 2024, Lieff Cabraser responded by stating that it was unaware of any email address used by Plaintiff M.H. other than the eight addresses that counsel for Uber had identified. In addition, Lieff Cabraser identified a physical mailing address for Plaintiff M.H.

6. On September 20, 2024, counsel for Uber served Plaintiff M.H. with the letter attached to this declaration as **Exhibit A**. Exhibit 2 of that letter contains the Court’s September 16, 2024 Order re: Withdrawal of Counsel.

7. Counsel for Uber served Plaintiff M.H. with this letter via three different methods on September 20, 2024: (1) producing the letter to Plaintiff M.H.’s MDL Centrality profile, (2) emailing the letter to the eight email addresses provided by Lieff Cabraser, and (3) depositing the letter for delivery via certified mail to the physical address provided by Lieff Cabraser.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on September 23, 2024, in Washington, D.C.

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4 /s/ Kyle Smith
Kyle Smith